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S/N 10/848,756

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Nishiuchi et al	Examiner:	G. Patel
Serial No.:	10/848,756	Group Art Unit:	2655
Filed:	May 19, 2004	Docket No.:	10873.0647USC1
Title:	OPTICAL INFORMATION RECORDING MEDIUM, METHOD OF MANUFACTURING THEREOF, AND METHOD OF RECORDING AND REPRODUCTION		

**CERTIFICATE UNDER 37 CFR 1.6(d):**I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on January \_\_\_\_  
2005.By: \_\_\_\_\_  
Name: Peggy Kerkhove**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**53148**

PATENT TRADEMARK OFFICE

Dear Sir:

Petitioner, Matsushita Electric Industrial Co., Ltd., a corporation organized and existing under the laws of the Country of Japan and having its primary place of business at 1006, Oaza Kadoma, Kadoma-shi, Oskaka, Japan, 571-8501, through the undersigned attorney of record, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/848,756, filed on May 19, 2004 and entitled OPTICAL INFORMATION RECORDING MEDIUM, METHOD OF MANUFACTURING THEREOF, AND METHOD OF RECORDING AND REPRODUCTION ("present application"), by virtue of assignment recorded at Reel 011745, Frame(s) 0548, and hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,795,389, filed on March 8, 2001, and entitled OPTICAL INFORMATION RECORDING MEDIUM WITH SUBSTRATE AND MULTIPLE INFORMATION and U.S. Patent No. 6,894,962, filed on October 19, 1999, and entitled OPTICAL INFORMATION RECORDING MEDIUM WITH SECTOR ADDRESS INFORMATION ("prior patents") as the term of said prior patents are defined in 35 U.S.C. 154 and 173, and as the

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term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the present application 10/848,756 shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, as the term of either of said prior patents is presently shortened by any terminal disclaimer, in the event that either of said prior patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certification, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Date: January 27, 2006

Signed: 

Name: Douglas P. Mueller

Reg. No.: 30,300